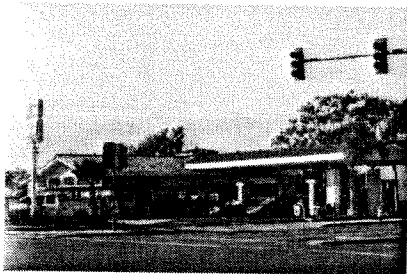


# THE ORANGE COUNTY BETA REGISTER

## Residents' group wants Arco to dig out contamination

By JAIMEE LYNN FLETCHER

2010-03-30 13:37:25



SEAL BEACH- A group of five residents has submitted a report to the Orange County Health Care Agency saying Arco's plan to clean up an old gas leak that has contaminated the soil in their neighborhood isn't good enough.

The Technical Advisory Committee, which is comprised of five residents who volunteered to take part in reviewing Arco's cleanup plan, said they want Arco to further study the impacts, excavate the site and beautify the neighborhood, among other requests.

Underground storage tanks at the gas station on Pacific Coast Highway and 5th Street leaked in 1986 and Arco and the health care agency have been working since then to clean it up. Contaminated vapors were discovered in January 2009 and Arco found some of the vapors had infiltrated the nearby Bridgeport neighborhood.

The city this month sent a letter to Arco saying excavation is the best way to clean up contaminated soil vapors that have leaked from a gas station. But Arco officials presented a different method in their preliminary corrective action plan, which is under public review.

The committee, comprised of residents Ray Zeoli, Susan Perrell, Glenn Barton, Mario Iacoboni and Nick Ta, agreed with the city's assessment but want to take it a step further. The residents all have career experience in environmental assessment and remediation, their letter says.

The group wants Arco to dig as deep as necessary to remove the toxins and contends the company did not fully assess how much contamination has affected the area, including the groundwater supply.

"We believe that BP/Arco's evaluation of remedial alternatives is deficient and does not adequately address relevant selection of cleanup criteria for the site," the residents wrote in their letter.

Arco installed a remediation system to suck the vapors from below ground – similar to a vacuum – but the company has since studied possible alternatives to clean the soil, according to its report.

The company says demolition and excavation could release contaminated vapors and increase traffic, dust, noise and diesel emissions in the area, among other disruptions.

Other alternatives combine the method currently being used in the neighborhood with other cleanup strategies, including oxidizing the chemicals, using temporary wells to treat contaminated soil or injecting high-pressure air into the soil to remove toxins.

Arco is expected to launch a pilot program of the oxidation and high-pressure air methods and submit a report on the progress by May 30.

The residents want to see further study of groundwater contamination and a plan to improve the aesthetics of their neighborhood during cleanup and once work is complete. The residents want trees and bushes replanted, alleys and streets repaved and Arco to heighten the block wall near its property to hide

any work being done on site.

"These actions will help to diminish fear and 'stigma' of contamination in our community," they wrote.

**Contact the writer:** 714-796-7953 or [jfletcher@ocregister.com](mailto:jfletcher@ocregister.com)



[www.epa.gov/region7/factsheets/2010/monsanto\\_co\\_corrective\\_action\\_muscatine\\_ia\\_201004.htm](http://www.epa.gov/region7/factsheets/2010/monsanto_co_corrective_action_muscatine_ia_201004.htm)

## Region 7

Last updated on Thursday, April 22, 2010

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## Fact Sheet

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**April 2010**

### **Corrective Action Permit with Proposed Remedy to Be Issued, Monsanto Company, Muscatine, Iowa**

#### **INTRODUCTION**

The U. S. Environmental Protection Agency (EPA) proposes to issue a corrective action hazardous waste management permit (Permit) under the Resource Conservation and Recovery Act to the Monsanto Company (Monsanto) for the facility located at 2500 Wiggins Road, Muscatine, Iowa (Facility). In addition, EPA has prepared a Statement of Basis to support the proposal of a remedy to require legal and physical controls to protect against unacceptable exposures to contamination. Both of these documents are available to the public for review and comment.

The draft Permit and Statement of Basis are at the **Musser Public Library, 304 Iowa Avenue, Muscatine, Iowa 52761**. A public comment period will be held from **April 26, to June 11, 2010**, to give the public an opportunity to comment on the draft Permit and remedy proposed in the Statement of Basis. EPA will hold a public meeting on May 11, 2010, to give the public another opportunity to provide comments.

The Permit will be issued to require:

1. the facility to conduct a groundwater remediation program that includes pumping groundwater to contain a contaminant plume;
2. the final remedy be selected to require controls to protect against exposure to environmental contamination; and
3. submittal of surface water/sediment data and evaluation of the vapor intrusion pathway.

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#### **Mark Your Calendar**

EPA will hold a public meeting, in order to give the community the opportunity to comment on the proposed Corrective Action Permit and Statement of Basis.

**When:** May 11, 2010, at 6:30 p.m.

**Where:** Musser Public Library  
304 Iowa Avenue

Muscatine, Iowa

All comments must be submitted in writing and postmarked no later than **June 11, 2010**, and be sent to:

**Mary Grisolano**  
EPA Region 7 (AWMD/RCAP)  
901 N. 5th Street  
Kansas City, KS 66101  
E-mail: [grisolano.mary@epa.gov](mailto:grisolano.mary@epa.gov)

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## **BACKGROUND**

The Facility includes approximately 585 acres used for manufacture of herbicides and herbicide intermediates and for formulation and packaging of herbicides for agricultural use.

The Permit was originally issued on September 28, 1989, and, at the time of expiration included the following hazardous waste management units: two container storage units, three storage tanks, and an incinerator. These units have been closed and cleaned to EPA specifications, and have been removed from operation under the Permit.

Soil and groundwater at the Facility have been sampled and analyzed to evaluate the presence of contamination. Based on this data, EPA selected a remedy (that was incorporated into the 1989 Permit) to address groundwater contamination. The remedy requires Monsanto to pump groundwater to contain the groundwater contamination and keep it from leaving the facility boundary.

This remedy continues to operate, and was updated as part of the permit renewal process. The update included addition of monitoring wells and analysis of a long list of chemicals to confirm the primary site contaminants.

The existing remedy addresses groundwater contamination; however, contamination has also been detected in soil at the Facility. EPA has proposed an additional remedy to protect workers against unacceptable exposure to contamination in any media, as the plant currently operates and in case of a future Facility use change. This proposed remedy is discussed in further detail in the Statement of Basis, available in the Administrative Record file.

Vapor intrusion refers to movement of volatile organic chemicals from the subsurface into buildings inhabited by humans and located over the contamination. Recent studies have shown that the vapor intrusion pathway can lead to significant exposure to environmental contaminants. The vapor intrusion pathway was not evaluated as part of the original investigation process for the Facility. The new Permit requires the vapor intrusion pathway to be evaluated, and a response implemented if unacceptable exposure is determined to be occurring.

The new Permit requires the Facility to submit available surface water and sediment data, and to conduct additional investigation, if deemed necessary.

## **PUBLIC COMMENT**

EPA encourages the public to become familiar with the documents that support the draft

## Group seeks \$15K to appeal project at ex-Norden site

NORWALK

By TOM EVANS

Hour Staff Writer

CUNN

Residents concerned about a housing development planned at the former Norden Systems, Inc., property are seeking to raise \$15,000 by Friday to mount an appeal to the project.

A meeting with the "No To Rezone" residents' organization, and its attorney, will take place tonight at 7:30 p.m. at 95 New Canaan Ave., a stand-alone building across the street from the Broad River Fire Department.

The appeal would be against the city's Zoning Commission, which unanimously approved both a zone change to allow residential use of land zoned for Restricted Industrial, and the application for construction of the 240-unit rental housing project, at its Nov. 18 meeting.

A 38.4-acre parcel between East Norwalk and the Westport border is the site in question.

"We have been working hard to determine whether an appeal of these decisions would be successful, and have found that several technical errors may have been made that would lead to a successful appeal," said Rick Giordano, a resident of the area in question.

"The main issue that is time-sensitive is the zone change approval and the actual zoning application. While both involve the water-quality issue, we will also be addressing the groundwater/health issue separately."

Giordano said the group is looking to get 100 people to contribute \$150 each for the appeal.

While tonight's meeting will focus on an appeal of the zone change approval, Giordano said his group's concerns are centered around public health and safety.

"These are the same issues we've been protesting all along," Giordano said. "Basically, the meeting is about discussing the merits of appealing the Zoning Commission's approval for development of the housing project, called NordenPark. Many issues need to be discussed, among them the concern of the neighborhood about the safety of residents for the future of residential housing in that area."

Giordano said the chemical trichloroethylene, a colorless liquid used as a solvent for cleaning metal parts, is at the top of the list of his organization's concerns.

"The site contains TCE above the safety levels determined by the (Environmental Protection Agency)," Giordano said. "TCE is a cancer-causing, DNA-changing chemical used to clean equipment when it was considered a Defense Department site for United Technologies. Chemical plumes have broken through the bedrock at least 110 feet in depth. TCE has contaminated drinking wells as far as a quarter-mile away in the past."

As someone who lives within that quarter-mile radius, Giordano believes testing should be done for the wells and soil-vapor intrusion to determine if contamination is indeed a problem.

"We should have a system in place to extract soil vapor from the building, and we need to have that even for people who are just working on the building," Giordano said. "(Allowable) levels of TCE are a lot higher for working on the building than for residential standards. And we don't know what type of soil vapor we have until they build on the property."

As far as developing the site for residential use, Zoning Commissioners felt that the 240 rental units were better than alternatives.

Commission Chairwoman Jackie Lightfield said earlier that "we do know that residential is the least traffic impact that new development can present," while Commissioner Michael Mushak said "I would want this project in my backyard, if this were my neighborhood, as opposed to a factory."

Giordano said his concerns are more basic to the well-being of future tenants, and that the Zoning Commission's decisions "flabbergasted me."

"We've been raising all kinds of concerns about contamination at the site, and the developers have tried to minimize the danger," Giordano said. "(The developers) say the contamination is not something they can regulate, and they say those issues are the responsibility of the (Department of Environmental Protection). (The developers) are not taking their responsibility seriously.

Giordano asks that anyone with questions should send them to [NoToRezone@gmail.com](mailto:NoToRezone@gmail.com).

-- Hour reporter Robert Koch contributed to this story.





# Polluted water found statewide

## Toxic plume lurks under Dover's historic Green

Three months ago, environmental regulators in Delaware received a blunt warning from the Environmental Protection Agency after workers in Dover drilled a deep test well where federal investigators were tracking shallow groundwater pollution.

Check first before drilling, the EPA said, or pay the price for endangering the public's water.

The letter warned that the drilling might allow the "extensive" contamination to leak into "deeper water-bearing zones used by the City of Dover for drinking water."

At issue are toxic chemicals spreading underneath one of the most iconic spots in Delaware – The Green, a town square where Caesar Rodney and other signers of the Declaration of Independence once gathered and political life in Delaware still thrives.

Today, docents in period costume lead tours on the brick walkways and lush lawns near the General Assembly. Crowds gather on The Green for summer concerts, in some places just 26 feet above soils tainted by the residues of coal, gas and dry-cleaning solvents.

The EPA is testing to see if harmful vapors are seeping into the basements of historic homes.

"This continues to happen, and it's in areas where people have done business or have lived," said Scott Andres, a scientist at the University of Delaware-based Delaware Geological Survey. "We'll continue to find things. That's kind of frightening to lots of people, because you don't always know how serious it is."

The most pervasive poisoning of the state's groundwater can be found between Old New Castle and Delaware City, in an industrial complex of chemical, oil and gasoline manufacturers.

But no community in Delaware is immune to a legacy of heavy manufacturing, power generation and agriculture.

In a yearlong investigation, The News Journal found groundwater contamination in every corner of the state, much of it recorded by state and federal regulators or corporations but not widely shared with the public except when contaminants are discovered at dangerous levels in drinking water.

- In south Newark, state regulators in May expanded a ban on any new drinking-water wells on properties near the site of a 1986 chemical plant explosion. The change came seven years after the same pollution forced city officials to shut down one of their most productive groundwater supplies, located more than 1,000 feet from the former Helix factory, where spills tainted an underlying aquifer with chlorinated methanes, chlorobenzene, acetone, benzene and chloroform.

- Ninety miles south, in Millsboro, taxpayers are expected to pay \$10 million or more to replace public wells contaminated by solvents from an old poultry vaccine factory. Discovery of the problem in 2005 initially forced thousands in Millsboro and Dagsboro to buy bottled water or drive to water tankers pulled into town by the National Guard.

- In Newport, pollution left behind at the former Koppers Co., a closed wood-treatment plant, has forced officials to consider rerouting a narrow stream called Hershey Run to ease threats to deeper groundwater.

- In New Castle, Croda Inc. and ICI Americas are trying to determine how far a chemical called bis (2-chloroethyl) ether has spread in a deep aquifer near Artesian Water's Collins Park neighborhood.

- In Seaford, state and federal officials are reviewing chemical solvent levels in a city-owned well tainted by a DuPont Co. subcontractor in 1992. Cleanup work also is under way in Milford to limit groundwater damage from years of pesticide spills at a former state mosquito control base.

One **University of Delaware study** -- co-authored by Andres and released in 2008 with little public discussion -- found that 9 percent of more than 34,000 private domestic wells in Delaware are inside zones where pollutants could flow from known contamination sites. Most are at medium to high risk for eventual problems.

"It's dark down there," said Lenny Siegel, who directs the California-based Citizens for Public Environmental Oversight, a group that tracks pollution cleanups. "You're trying to piece together information about the condition of drinking-water supplies from indirect measurements that are infrequent and sparse -- a few samples that are years apart. It's not hard to miss something."

### **Emergency in Millsboro**

Millsboro resident Brittany Kelso still has doubts about her town's water supply and water system after Millsboro endured one of the state's worst cases of drinking-water pollution in 2005. Thousands were advised to rely on bottled or trucked-in water at the height of the emergency.

Even after millions in government spending to install a filter system and dig a new well, Kelso still relies on bottled water for her family's routine drinking.

"You're always a little bit skeptical about it," Kelso said. "They say it's fixed. We use the town water for cooking and washing and we will drink it, but I also still buy bottled water."

Levels of trichloroethylene (TCE), a toxic solvent, were dozens of times higher than federal drinking-water limits in Millsboro by the time periodic testing caught the problem in two out of three wells used to supply the town and neighboring Dagsboro.

TCE ranks among the more common pollutants found in drinking water, and is a public health concern. The chemical can cause cancer, liver and kidney disease and reproductive disorders after long-term exposure to vapors or tainted water.

Although routine testing detected the problem, officials said that residents could have been unknowingly exposed to the pollution for weeks before the problem was found and verified.

Officials kept a health warning on the community's water for six weeks, and eventually had to drill 130 test wells to pin down the source of the problem and map its size.

Tests found TCE concentrations in the worst-hit well at more than 50 times the federal drinking-water limit, although water from a deeper well was routinely mixed with the tainted source and likely limited public exposure, DNREC reported during its investigation. Water in some homes was found to have 14 times more TCE than the federal maximum.

Before the EPA assumed control of the cleanup under the federal "Superfund" program, the \$10 million price tag threatened to cripple a Delaware toxic cleanup fund already hard hit by bills for other site cleanups and declining revenues from fuel taxes. The fund once took in nearly \$20 million yearly, but that shrank to \$9 million last year, all of it consumed by cleanup projects and programs.

In Millsboro, the EPA took on the job of finding the source of the contamination and seeking damages, an effort that is often time-consuming and futile. Few private assets are expected to be available to help at Millsboro, although investigators have listed two former companies and a poultry-industry health scientist, Hiram Lasher, as possibly responsible.

Lasher has said that he has no recollection of TCE leaks while he controlled the vaccine plant there during the 1950s. A DNREC letter to Lasher in late 2006 said that state contractors removed 209 tons of TCE-contaminated sludge from buried tanks on property Lasher once owned, and found extensive pollution in buried pipes and equipment.

DNREC had cautioned three years before TCE was found in Millsboro's drinking water that the town's shallow wells were "highly vulnerable" to some types of contamination, because of their location and depth. A decade before that, the EPA ordered National Cash Register Co. to clean up and control TCE that escaped from a lagoon at a Millsboro plant about two miles from the more recent TCE contamination sites.

Millsboro's wells also had long been known to have too much nitrate, a pollution tied to fertilizer and sewage. Nitrate levels in the town's two shallow wells averaged 11 parts per billion, just over the level that triggers warnings about health risks, especially for children and pregnant women. Millsboro managed the problem as many other communities do: by mixing the tainted water from the shallow wells with water from deeper wells to dilute nitrate concentrations.

### **Plume spreads under Dover**

In Dover, groundwater near and under some of the city's oldest buildings carries benzene, toluene, ethylbenzene, xylenes, perchloroethene (a dry-cleaning solvent) and trichloroethene released from the site of the former Dover Gas Light coal-to-gas plant and a dry-cleaning business that was destroyed in a fire.

Initially believed to be limited, the Dover contamination has been mapped under several blocks from an area not far from the landmark Spence's Bazaar, spreading east through The Green to the banks of the St. Jones River.

Several of Dover's 14 drinking-water wells are within one mile of the plume. The closest is about 1,000 feet to the southeast, according to letters on file at DNREC's Site Investigation and Restoration Branch.

Efforts to track the pollution collided with the historic atmosphere in Dover during the summers of 2008 and 2009, when state tour guides in Colonial-era dress steered visitors to The Green around heavy drilling rigs working under contract to the EPA.

The underground pollutants also have complicated state attempts to explore groundwater suitability for a geothermal system that would help heat and cool a new city library. In March, an EPA project manager sent DNREC cleanup managers a letter chiding the state agency for allowing a deep test well in the area.

"The state is obligated not to interfere" with the EPA's investigation, EPA project manager Frederick N. MacMillan wrote to his DNREC counterpart. Problems created by the drilling could make Delaware "solely responsible for any costs."

Federal officials said current public health risks from the water are low. All of the capital's wells take water from aquifers below the 85-foot layer now being probed for contamination. Environmental investigators have cautioned, though, that tainted water could release vapors, called "soil gas," capable of trickling into basements and causing health problems.

The EPA has been quietly conducting "vapor intrusion" studies at homes around The Green. Final results are due later this year, along with a remedy plan.

"I know all about that, and they came through and went into my basement and said that everything was OK, but I don't know what they're going to be able to do about it anyway," said Irene King, who lived about a block from the coal gas site as a child and now lives on one of the streets targeted by the EPA.

"There's no way they're going to get that stuff out of the ground," King said, or keep it from eventually seeping into the waters of the nearby St. Jones River.

### **A matter of time**

The typical response to tainted groundwater in Delaware is to drill deeper.

But full confidence in Delaware's deeper supplies could be short-lived. Around Delaware City, carcinogens from the petrochemical complex have pierced the layer of clay that federal and state regulators said would always protect the Potomac Aquifer, which supplies water to hundreds of thousands in Delaware, New Jersey and Maryland.

In 2008, a DNREC report conceded that some of the state's deepest and best aquifers may be clear today only because "not enough time" has passed for sinking chemicals to reach them.

"I don't think we really understand how many straws we're sticking into the different aquifers, what the pollution loading is, what the rate of transmission is through the groundwater," said Paul Schwartz, national policy coordinator for Clean Water Action, a water quality and protection advocacy group.

Delaware's list of groundwater woes, already long, is incomplete, researchers say.

University of Delaware scientists concluded in a report for the Delaware Cancer Consortium that state databases and monitoring programs are "not adequate" to judge the effectiveness of pollution testing for private and small-group public water supplies, even near known contamination sites.

The state's testing and recordkeeping practices are "poorly suited" to the job of evaluating toxic and cancer-causing contamination in shallow groundwater used for domestic needs, the study said.

"We went through thousands of records and found that we could go back and reconstruct less than 2 percent," said Andres, deputy director of the Delaware Geological Survey and one of the study's co-authors.

The uncertainty has left residents uneasy.

"I relocated here from New Jersey nine years ago, and I'm hoping I didn't screw up. It's in the back of my mind every day," said Mark Summerfield, who lives just south of the Delaware City Refinery.

Bill Wolfe, a former New Jersey state environmental regulator and national environmental advocate, blamed many chronic pollution threats on the failure by government and industry to make cleanups and control projects a priority.

"Time and delay increases the migration of plumes and makes the environmental situation and the economic situation worse," said Wolfe, who directs New Jersey's chapter of Public Employees for Environmental

Responsibility. "There should be no surprises, but you often hear government and companies claim that there's no problem. 'The plume is stable. We're monitoring it' -- and then it shows up somewhere it wasn't supposed to be."

### **'You cannot clean these things up'**

Troubles extend even to the state's farming areas, where Department of Agriculture officials are monitoring dozens of wells for contamination by herbicides and other farm chemicals. Tests a decade ago showed widespread, but low-level, contamination in surface aquifers widely used for private wells.

University of Delaware researchers who surveyed available tests reported in 2008 that contamination from pesticides, gasoline additives and organic compounds is widespread in shallow groundwater.

But until recently, Andres said, most state data collection programs have been unable to verify routine sampling even of at-risk wells, much less aquifers fouled by unreported pollution.

"It automatically is a public policy concern," Andres said. "How it's managed is something that gets negotiated, but in many cases, what's known is that you cannot clean these things up. It's technically impossible."

Pesticides have tainted shallow water across the state, although rarely at levels above safe drinking-water standards.

The Department of Agriculture is monitoring levels in selected wells statewide on a long-term basis.

America's and Delaware's addiction to oil and love affair with cars have left other scars.

The banned gasoline additive methyl tert-butyl ether (MTBE) is one of the more common organic chemicals found in groundwater, both shallow and deep.

DNREC and Division of Public Health officials have wrestled with several emergency MTBE well-contamination problems around the state, brought on by leaking service station tanks, traffic accidents and other spills. Hundreds of thousands of gallons were spilled or dumped onto the ground or surface waters at the Delaware City Refinery, where the additive was produced for years.

The University of Delaware labeled MTBE a "significant concern," citing discovery of the contaminant and other gasoline compounds in more than 100 domestic wells in recent years, forcing the replacement of dozens of wells and installation of home water treatment systems.

While the Delaware City petrochemical complex easily ranks as the state's biggest pollution and groundwater headache, no part of Delaware is exempt, said Gerald Kauffman, Delaware's water supply coordinator.

"I think we're fortunate that we're not seeing even more of these organic chemicals in drinking water," Kauffman said. "We have a lot of water in the state, especially groundwater. But we have to protect the quality. There are a lot of risks."

**Contact Jeff Montgomery at 678-4277 or [jmontgomery@delawareonline.com](mailto:jmontgomery@delawareonline.com).**



## Rising pollution puts water source at risk

### Taxpayers' cleanup tab at \$100 million -- and it could be rising

By JEFF MONTGOMERY • The News Journal •  
March 16, 2010

New tests show that toxic pollution from an abandoned chemical plant near Delaware City is far worse than previously believed, posing even greater future risks to drinking water in the region.

Concentrations of cancer-causing benzene in a 150-foot-deep groundwater layer near the former Metachem Products plant has spread far deeper and at higher concentrations than the last round of testing in 2005, and thousands of times higher than the federal government's drinking water safety limit.

The highest benzene reading -- 26,000 parts per billion -- was 5,200 times higher than the federal government's 5 parts-per-billion drinking water limit. Although no drinking water wells are close by, the concentrations of benzene alone would pose immediate and long-term health threats if consumed by people and are high enough to kill some living things outright.

At least six other toxic or hazardous chemicals, some previously undetected in deep groundwater adjacent to the shuttered factory, also were found, some more than 100 times above safe levels.

The new evidence of highly toxic plumes of groundwater call into doubt the effectiveness of \$100 million in cleanup costs already charged to

taxpayers, some neighbors say. An additional \$20 million bill is pending approval.

The site sits atop the Potomac aquifer, which provides drinking water to hundreds of thousands of people in Delaware, New Jersey, Maryland and Virginia. Because of the complicated geology of the area, it's difficult to predict how contaminated water will travel underground. Some experts worry that the chemicals may spread deeper into the aquifer and eventually reach public wells.

John H. Nickle Jr., a Delaware City native, described the latest findings as "atrocious," and questioned the pace of investigations.

"How do they know that, years from now, things won't migrate?" Nickle asked. "There's evidence of interconnections between the [shallow] Columbia aquifer and the Potomac. How do they know it won't get into drinking water?"

Metachem's legacy today is a barren and scarred landscape, overlooking scrub forest and wetlands sloping down to Red Lion Creek, a waterway bordered by chemically fouled sediments and fish that state officials say are unsafe to eat. In some places, polluted soils have killed off native plants.

The area is closed off by a chain-link fence with signs warning of the danger of trespassing. Pesticide-like vapors and dust laden with dioxins create conditions within the fence line that would increase the cancer risk from lifetime exposure to as much as 900 times normal.

The deserted plant is about three miles northwest of Delaware City, a riverside community that takes its water from Potomac aquifer wells sunk more than 700 feet below the surface.

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Before discovery of the deeper contamination, cleanup officials said thick beds of clay would protect the deeper aquifer from pollution in shallow soils above. Regulators have since backed away from that assurance, with upper portions of the Potomac now described as "semi-confined" and vulnerable to the downward movement of toxic wastes.

Federal and state environmental officials plan to review the latest groundwater tests Thursday.

### Costs mounting

A decision by regulators is pending on a nearly \$20 million permanent seal-over for a factory production area at Metachem that is considered forever unrecoverable because of contamination. The EPA recommended that fix because the most comprehensive plan would have cost nearly \$100 million more than what already has been spent while still possibly leaving a toxic dump that would require monitoring for at least 100 years.

Officials also could discuss options for nearby contaminated wetlands, where tests of restoration methods have been unsuccessful and where complete removal of 181,000 tons of wetland soil would cost \$48 million to \$100 million or more.

Additional testing wells and studies are expected in the area of the newly found, deeper contamination, officials said.

Robert E. Brumbaugh, a 14-year resident of the Emerald Ridge subdivision northwest of the plant, said regulators need to try harder to prevent such pollution.

### Questions about urgency

The newly found contamination is already outside and far below a deep, mile-long, bathtub-like groundwater containment barrier built to enclose and contain toxic chemicals soaked into the worst-polluted section of the plant. Pollution removal wells and treatment systems operate inside the 35-acre barrier, more than half of the site's 65-acre total.

Metachem already ranks among the nation's most-costly taxpayer-financed "Superfund" cleanup sites, according to Environmental Protection Agency and Government Accountability Office reports. Its cost makes it a "megasite," one of the 11 percent of Superfund cleanups with total expenses topping \$50 million.

With current costs at \$100 million and climbing, Metachem already has cost 10 times more than the average Superfund bill for a manufacturing site.

Metachem, which purchased the plant from Standard Chlorine of Delaware in 1998, escaped full liability for the cleanup because it operated as a limited liability company protected from many of the claims that can be lodged against corporations. A private investor group had controlling ownership of the LLC. The company walked away from more than \$65 million in debts when it declared bankruptcy — including debts to investors — with nothing left for government agencies to recover.

Regulators have been aware of groundwater threats at the plant for decades and reported as long ago as 2004 and 2005 that benzene contamination had reached 15 times the federal safety limit 70 feet down.

Even though the site sits directly above the upper part of the Potomac aquifer, which accounts for nearly 30 percent of northern Delaware's drinking water, deeper tests didn't begin until late last year.

The original contamination led to a state ban on any

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private use of groundwater from the immediate area. Some nearby private wells were shut down because of contamination concerns.

"I know from your perspective and the public's perspective it seems slow. We're moving it forward as quickly as the science allows us," said Hilary Thornton, Environmental Protection Agency project manager for the site. "We're balancing it with the many other tasks and challenges that are before us. This site is a priority – it's received the funds that we requested for it."

Standard and its successor, Metachem Products, manufactured chlorinated benzenes, a class of toxic, long-lived chemicals used to make herbicides and pesticides. The company also recycled toxic leftovers from plants around the globe and once ranked as the world's leading source of some toxic compounds.

Benzene causes leukemia and other health disorders, including liver problems, after exposure to far lower levels than those at Metachem, according to EPA and other government agencies.

Among other toxic contaminants, paradichlorobenzene was present at up to 116 times the federal limit. The compound can cause anemia and liver cancer; damage the liver, kidneys or spleen; or cause changes in the blood after long-term exposure.

### Frustrating situation

Seth Ross, a retired DuPont employee and a member of the Delaware Nature Society, said he was saddened and frustrated by the problem around Delaware City.


"There have been concerns all along that agencies are not aggressive enough," Ross said. "It bugs me to this day that the owners could legally walk away from the mess they left."

Marjorie Crofts, air and waste management director for Delaware's Department of Natural Resources and Environmental Control, said agencies still consider the problem relatively confined despite the surge in deeper pollution.

None of the contamination has appeared yet in the

very deepest groundwater layers more commonly used by public water utilities, Crofts said. The closest drinking water wells are two miles from the site.

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## CDC can't weigh in on pollution allegations

By KEVIN P. CRAVER - [kcraver@nwherald.com](mailto:kcraver@nwherald.com)[Comments \(5 comments\)](#)

WOODSTOCK – The Centers for Disease Control and Prevention won't weigh in on environmental pollution maps sent to it regarding whether industrial pollution caused a brain cancer cluster in McCullom Lake.

The CDC reviewed county and state health departments' epidemiology work and last month echoed their conclusions that county brain cancer rates were normal. But the CDC told County Board Chairman Ken Koehler in a March 3 letter that its role in cancer investigations was to review research methods – state and local health agencies did not do any independent analysis of the maps.

The maps, which tracked a plume of contaminated groundwater from Ringwood manufacturer Rohm and Haas, were commissioned and paid for by the company, which is **blamed in 30 lawsuits** to date for causing the brain and pituitary cancers. They were part of an information packet sent in November 2009 to the CDC.

"Although the environmental data was included in the binder provided, neither the McHenry County Department of Health nor the Illinois Department of Public Health conducted an analysis of the environmental data. Therefore, no methods were available to review," wrote Michael McGeehin, director of the CDC's Division of Environmental Hazards and Health Effects.

Koehler could not be reached for comment Wednesday.

Three former McCullom Lake next-door neighbors with brain cancer **sued Rohm and Haas** in April 2006 alleging that decades of exposure to vinyl chloride in their air and groundwater sickened them. Weeks later, the county health department concluded that brain cancer rates were not above average and that the groundwater contamination never reached the village.

County government kept quiet regarding the cancer cases over the next three years despite Northwest Herald investigations since 2007 that concluded that the county health department's work was flawed, reliant on incomplete data, and biased in favor of Rohm and Haas. Koehler, R-Crystal Lake, finally asked the CDC for assistance in 2009 under pressure from County Board member Tina Hill; the plaintiffs include her older sister and three of her childhood friends.

Hill, R-Woodstock, said the CDC letter summarized the problem that plagued the investigation attempts – every analysis since the lawsuits **relied on pollution data** supplied by the company blamed for the brain cancers. Hill said she wanted an outside agency to investigate the pollution allegations from scratch and planned to work with state Sen. Pam Althoff, R-McHenry, to talk to U.S. Rep. Melissa Bean, D-Barrington, whose district includes McCullom Lake.

"I think that our county health department has exhausted the resources they have to pursue this matter, and I think the best course of action is [for] Chairman Koehler and I to reach out with the senator to Congresswoman Bean," Hill said.

Koehler first met last month with the board's Public Health and Human Services Committee for advice on how to proceed, or whether the county should drop the matter and let the courts handle it. The first lawsuit goes to trial June 7.

Committee members again discussed the matter at their Wednesday morning meeting. Committee Chairwoman Lyn Orphal, R-Crystal Lake, said she was not ready to give up. But she and others questioned how any agency could determine the extent of the contamination in past decades – it first was reported to the state in the early 1980s but had been ongoing for at least two decades prior.

"It's tough. You kind of feel like you're between a rock and a hard spot. What do you do?" Orphal said.

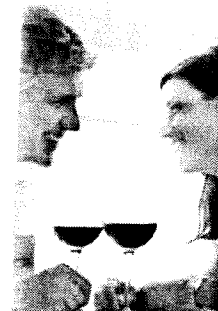
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## Comments

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**nickle** wrote on **March 11, 2010 9:32 a.m.**

"The county's draft 2030 comprehensive plan for development puts industrial areas in places that have increased potential for water contamination. Do we want more situations that end up like this??? You can still have today to comment on the plan. Go to [mchenrycounty2030plan.com](http://mchenrycounty2030plan.com) and tell them to keep industrial areas out of areas sensitive to contamination."

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**stoptalkingalready** wrote on **March 11, 2010 9:34 a.m.**

"amen nickle - good thinking for the future"

[Report](#)

**realitybytes** wrote on **March 11, 2010 10:27 a.m.**

"Why should they worry about it. Nickle, when they can just stall, delay, deny, whitewash and dismiss as they have done with the McCullom Lake issue. The idea that the research provided was financed by the same entity suspected of the pollution would be like putting Goldman Sachs in charge of financial reform. No, wait, that's just about what Washington has done. The McCullom Lake (and probably Lakeland Park) pollution will be buried as deeply as the victims."

[Report](#)

**nickle** wrote on **March 11, 2010 11:35 a.m.**

"I totally agree, Reality, that most likely no one will ever be held responsible for this horrible and probably avoidable tragedy. What I am saying is to prevent this from happening in the future. One part (there are many) of the solution is to keep industrial development from occurring in places where water contamination is an issue. These places are mapped out, and the county can choose not to let industrial development happen in those areas. But right now the 2030 plan isn't written that way. The land use map puts what they call "ORI" in sensitive areas."

[Report](#)

**nickle** wrote on **March 11, 2010 11:41 a.m.**

"You still have today to tell the county board that putting industrial development in sensitive areas puts us all at risk for another tragedy and that they need to do better for the citizens of this county. Justice may never come for the victims of McCullom Lake, but we can sure do something to help prevent more victims of contamination in the future."

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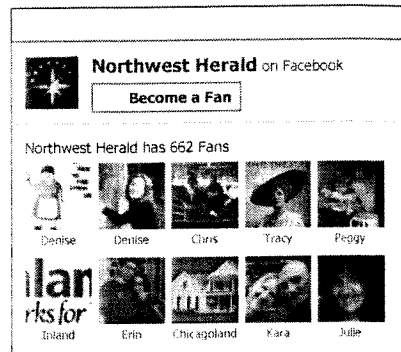
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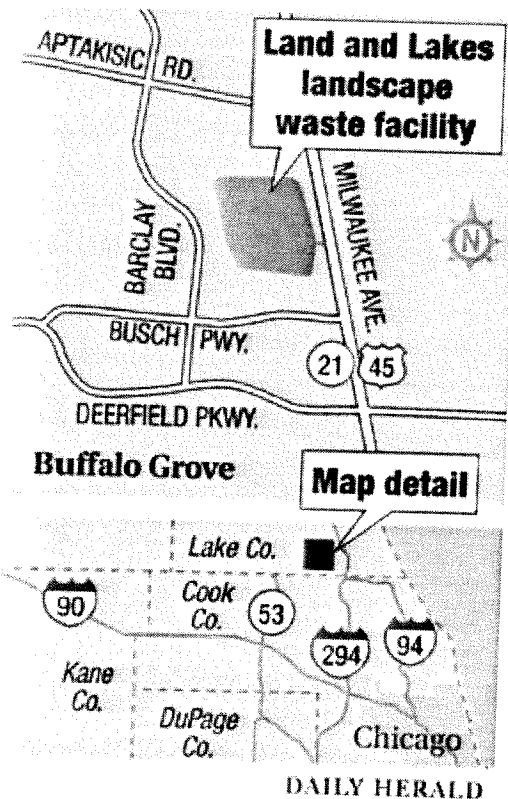
# Daily Herald

Big Picture . Local Focus

## Landfill reports raise questions as oversight period is ending

By Marni Pyke | Daily Herald Staff

Published: 7/26/2010 12:00 AM | Updated: 7/26/2010 3:53 PM



These days, the former Land and Lakes landfill is best known for complaints of noxious odors from a composting facility.

Yet 29 years ago, when Land and Lakes Co. received permission to operate the landfill in south Lake County, it triggered concerns about flooding and groundwater contamination.

Driving by the shops and park land on Milwaukee Avenue in Buffalo Grove, you couldn't tell a landfill is nearby or that a 15-year oversight period imposed by the Illinois Environmental Protection Agency is up this month.

But as the agency ponders whether to free Land and Lakes from monitoring restrictions or extend them, some experts say the site deserves more scrutiny based on recently uncovered documents citing contaminants previously found in the groundwater and other deficiencies at the former landfill.

Environmental attorney Shawn Collins says the paper trail indicates the site is a poster child for lax state regulations and standards for landfills across Illinois.

"Any landfill operated in the 1980s is a potential threat to the environment because of typically inadequate landfill construction and the kinds of nasty things that often got dumped during that era," said Collins, who specializes in groundwater contamination.

Illinois Environmental Protection Agency officials, however, point out that recent tests show groundwater wells free of contaminants at Land and Lakes.

And regarding past problems, "those issues were dealt with some time ago - they are no longer issues," IEPA spokeswoman Maggie Carson said.

That's not the case in Buffalo Grove, where officials are feuding over a 2005 preliminary report by Shaw Environmental Inc. raising environmental questions about

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over landfill pollution questions? [7/26/10]

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The IEPA asserted that the site was properly monitored. However, Carson noted that it had been approved under

regulations that are less stringent than those for new landfills.

Land and Lakes officials did not respond to repeated phone calls or a request in person for an interview.

In 1981, Park Ridge-based Lake and Lakes Co., whose president is Lake Forest Mayor James Cowhey, received a state permit to operate the 32-acre landfill on Milwaukee Avenue north of Lake-Cook Road. The application stated it would accept landscape, commercial, industrial and demolition waste.

Some nearby towns were wary, including Lincolnshire and Riverwoods. The Riverwoods Residents Association wrote that the majority of the village "relies on upon wells for our drinking water and we do not feel that there can ever be adequate safeguards ... to prevent contamination of our sole source of water."

There are a number of private wells south and southeast of the site.

Land and Lakes mounted a robust defense. "We believe that this site can provide a very needed public service to the community and it is the intention of Land and Lakes Co. to conduct an operation that will be a credit to the county," Cowhey wrote.

Lake County called the location "far from ideal for landfill use," partly because of its proximity to the floodplain - a fact Land and Lakes Co. disputed. Landfills aren't permitted on floodplains in Lake County. However, the county ultimately signed off on the plan, noting there was a need for landfills in the area.

Lake County sampled some private wells around the landfill in the 1980s and 1990s and found no groundwater issues, health department solid waste specialist Michael Kuhn said recently.

The landfill stopped accepting waste in spring 1994. In 1995, Land and Lakes entered into a post-closure care program that required the company to monitor groundwater and report back to the IEPA.

Land and Lakes also opened a compost facility at the site in 1990 and later a landscape waste transfer station where material is stored temporarily before being taken elsewhere. There have been a number of complaints about foul odors from the composting operation and the company intends to phase it out this year.

In 2005, Buffalo Grove considered annexing and possibly purchasing the landfill as a joint venture with the Buffalo Grove Park District to develop a complex with playing fields, shops and offices. The village hired Shaw Environmental of St. Charles to evaluate the site.

In the preliminary report obtained through a Freedom of Information Act request, Shaw experts pointed to contaminants such as vinyl chloride previously found in groundwater wells, recommended more monitoring wells, questioned if there was a buildup of methane gas on the site, and said there was evidence the landfill had been constructed outside its permitted borders.

Shaw advised more environmental tests at the landfill but the development idea lost steam and the report was shelved. In 2008, the village annexed the property.

The IEPA is supposed to decide this month whether to approve or deny Land and Lakes' request to end the oversight period, which means it no longer is required to test groundwater or inspect the cap on top of the landfill.

Buffalo Grove Trustee Lisa Stone, who has criticized Land and Lakes because of the odor problems, thinks the report reveals significant environmental problems with the landfill and wants monitoring to continue.

"The most important thing is the health and safety of people," she said.

## Chemical reactions

IEPA documents obtained by the FOIA from the 1990s and 2000s indicate various issues at the landfill.

- **Data gap.** The earliest groundwater data to be found from the landfill is from 1988, leaving a void of several years. IEPA officials said they're unclear why the gap exists.
- **Toxic contaminants.** Starting in 1996, IEPA memos speak of chemicals in landfill wells ranging from trace amounts to more significant levels. The contaminants include the solvent 1,2-dichloroethylene and substances used in manufacturing - benzene, phenol and vinyl chloride, a carcinogen.

Land and Lakes has stated the contaminants came from sources off site, such as new development in the area, or have called the findings insignificant.

- **Liner issues?** In May 2002, the Lake County Health Department's Kuhn told the IEPA that "the current integrity of the (landfill) liner is not known and the potential for contaminants migrating from the landfill exists." However, Kuhn said recently his statement was a hypothetical one. "With the 10-foot clay liner that it's supposed to have, it should stay intact," he said.
  - **Uncertainty about groundwater flow.** A July 1992 IEPA memo states the direction of groundwater has not been identified although other documents note it travels from west to east. The memo also noted "this facility may be impacting groundwater."
  - **Faulty wells.** Groundwater wells are an important indicator of what's going on in a sealed landfill. In June 1993, an IEPA memo mentions flaws in two groundwater wells, saying they aren't sealed properly. The monitoring program "does not accurately detect releases that may occur" in some locations, it stated.
  - **Boundary disputes.** The landfill property owners, Prairie Recreational Development, told the IEPA in 1995 they thought the landfill was built on property outside its permitted boundaries. Land and Lakes, which was leasing the land, called the statements untrue attributing them to a business dispute between the two companies.
- IEPA Solid Waste Unit Manager Chris Liebman said the property owners likely were correct and building past a boundary is not uncommon in older landfills. While unsure what was done to resolve the issue, Liebman said he had no doubt it was taken care of. "It wasn't swept under the rug," he said.
- **Discrepancies over what was dumped.** Although some permit applications stated the landfill only accepted clean construction and demolition debris, in early 1998, an IEPA official wrote that empty paint cans, 5-gallon buckets and other items were found at the landfill. These are not clean construction and demolition debris, he stated.

A related January 1999 IEPA memo said "it is not clear what type of wastes were accepted at the facility."

The Shaw study also reported the same discrepancies. The consultants wrote this "was an alarming indicator that the facility may not be properly designed or regulated."

Liebman said the memos regarding clean construction debris - which consists of concrete, stone, bricks and clean soil - show the agency was doing its job by checking what went into the dump and requiring Land and Lakes to monitor it appropriately.

## Past and future

IEPA solid waste and groundwater staff said they're confident any problems involving chemicals in the groundwater wells were resolved.

"Although we can't look at data from before 1988, the agency believes that evidence of contamination would remain and would show up in subsequent sampling," Carson said in an e-mail.

The source of the chemicals has never been pinned down, officials noted.

As for Riverwoods, where residents worried about contaminated groundwater in 1981, the landfill hasn't surfaced as an issue, Mayor William Kaplan said. While the majority of homeowners are on Lake Michigan water now, there are some on private wells, he noted.

University of Illinois at Chicago environmental engineering professor Krishna Reddy called the Shaw report and IEPA memos problematic.

"More investigation is needed to find out exactly what is happening in the landfill," said Reddy, director of UIC's Geotechnical and Geoenvironmental Engineering Laboratory.

Carcinogens such as vinyl chloride are more common in municipal solid waste landfills, not in demolition and construction waste sites, said Reddy. He added landfills that handle chemicals have more complex liner systems, gas and leachate collection systems than construction and demolition debris facilities.

Collins contends the documents show the state has been lax in regulating the landfill.

"It doesn't matter that not all of the chemicals detected in the groundwater are known to be dangerous, or that the known-to-be-dangerous chemicals that were detected in groundwater were not detected at high concentrations," Collins said. "The point is that the detection in groundwater of any landfill chemicals means that chemicals are leaking out of the landfill, and therefore that any chemical ever dumped there can leak out - potentially in dangerous concentrations."

U.S. EPA District 5 environmental engineer Paul Ruesch, however, also noted that the latest groundwater sampling at the landfill did not indicate any statistically significant release of any troublesome compounds. He also said the methane gas monitoring system was sound.

"There's nothing that rises to the level of U.S. EPA involvement based on what we've seen from the state and Lake County," Ruesch said. "We're confident the bases are covered here as far as releases to groundwater."



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Journal Gazette

Published: July 11, 2010 3:00 a.m.

# Family blames toxic site for illness

## Cleanup set for east-side metals plant

Dan Stockman | The Journal Gazette

FORT WAYNE – Kathryn Mbwelera stands in her front yard, despite the blazing heat, pointing across the street to where the ground is filled with poison.

"Nobody's going to make me believe I'm not at risk and that I haven't been at risk," Mbwelera says. "The health risks these chemicals pose – we've experienced them all."

The chemicals are chlorinated solvents that are in the soil and groundwater beneath the former Wayne Metal Protection plant, a defunct metal plating company at 1511 Wabash Ave. on the east side of the city near Memorial Park.

The contamination has spread northeast from the shuttered plant, toward Memorial Park Middle School; Mbwelera's house is immediately north of the plant.

The chemicals move easily in groundwater, and their vapors can move upward through soil into homes and buildings.

Exposure to them has been linked to numerous health problems, including spontaneous abortions; menstrual disorders; altered sperm structure and reduced fertility; effects on the brain and nervous system and liver, kidney and immune system; miscarriages; and developmental problems. They may also be linked to a variety of cancers, according to the U.S. Environmental Protection Agency.

Mbwelera, 50, has lived in the house next to the plant, with the exception of just a few years, since she was 12 years old.

Her mother, who died in November, had kidney problems. Her brother has liver and lung problems. She has severe menstrual problems. The house she and her brother Irving Brownlee inherited when their mother died, she fears, is worthless thanks to the toxic mess next door.

But that's not what really bothers her. The real slap, she says, is that not only has the Indiana Department of Environmental Management known about the contamination for almost six years and done almost nothing, but that officials have never seen fit to tell her about the contamination.

In 2008, IDEM ran a legal advertisement in The Journal Gazette announcing that the company had submitted a cleanup plan. Last week, it ran another small announcement saying it had approved the plan and declaring a 30-day comment period.

### Toxic cleanup

The chlorinated solvents in a plume under the former Wayne Metal Protection site are linked to a host of health problems:

#### Dichloroethene

Causes cancer

Suspected to: Damage blood; impair development; damage liver, kidney, brain, reproductive system, lungs and skin

#### Tetrachloroethane

Causes cancer

Suspected to: Impair development; damage liver, kidney, brain, reproductive system, lungs and skin

#### Trichloroethene

Causes cancer

Suspected to: Damage blood; impair development; damage hormones, liver, immune system, kidney, brain, reproductive system, lungs and skin

Source: [www.scorecard.org](http://www.scorecard.org)

Legal ads are one column wide and run in small type; that is the only official notification Mbwelera and her neighbors are required to get.

"That's an insult," Mbwelera said. "That's a real insult."

IDEM officials say there was no need to inform Mbwelera because the contamination is not under her property and her family has nothing to fear.

"I think if this contamination was right at the property boundary or if there was any doubt of exposure, they'd be contacted," said Cory Webb, a senior environmental manager at IDEM. "But there's a pretty good distance between the edge of the plume and the home."

### **'Aggressive plan'**

The saga began almost six years ago, when the company reported the contamination to IDEM and applied to be in the state's voluntary cleanup program.

That program is supposed to speed cleanups without lawsuits and bureaucracy, but a 2007 Journal Gazette investigation showed the program is beset with delays and backlogs. The laws creating the program call for a cleanup plan within six months; the newspaper showed it takes an average of four years to get one.

Even by those standards, Wayne Metal Protection stood out – the company so often missed IDEM deadlines, it was kicked out of the voluntary program in 2008, giving IDEM a much stronger hand in guiding the cleanup.

Even then, IDEM continued to push back deadlines, and Wayne Metal Protection continued to miss them. Now, four years and four months after it was first due, a cleanup plan has been approved, and IDEM says it's a good one.

"It's a very aggressive plan, probably one of the more aggressive plans I've seen," Webb said. He could not offer an estimate on how long the process will take, but it will not be quick or inexpensive.

The plan calls for the removal of contaminated soil from seven areas of the plant property. Also, wells will be dug to draw out and treat the groundwater, and to draw vapors from the soil. Webb said the plan will require a treatment facility to be built on-site to handle the chemicals drawn out of the soil and water.

Wayne Metal Protection owner Daniel Clemens declined to comment on the plan but said officials remain committed to their pledge to remove all of the contamination.

Webb said IDEM's first priority is health and safety.

"(The plume) does not go under any residential areas or near them, so there's no reason for residents to be concerned," Webb said. "In any situation where we think there's an exposure pathway or a potential for residential exposure, that's our first concern."

### **'A mistake'**

Mbwelera said that just because IDEM does not feel she's in danger is no reason to leave her in the dark.

After reading newspaper stories about the contamination, her mother began buying bottled water, spending hundreds of dollars of her fixed income because she was afraid her water was polluted. It was only months later that someone explained that because she has city water, her home's water supply was perfectly safe.

IDEM officials said she should have called them.

"We're always available to help people with information if they're not receiving it," IDEM spokeswoman Amy Hartsock said. "We're here to answer questions if they've got them."

Just a stone's throw from the Wayne Metal Protection site is the Hassan Barrel site. Hassan Barrel's owner, Alan Hersh, served a 15-month sentence in federal prison for closing the barrel recycler in 2003 and leaving behind thousands of barrels filled with toxic chemicals.

That site, also discovered in 2004, was cleaned up in 2009 – overseen by the EPA rather than IDEM.

Mbwelera said her mother was offered \$90,000 for her house and its two extra lots several years ago, before the contamination was reported. She wishes now they had accepted the offer.

"That land is probably worthless now ... ain't nobody going to buy toxic land," she said. "I think I made a mistake."

[dstockman@jg.net](mailto:dstockman@jg.net)

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## Schnapf, Lawrence

From: larry@schnapflaw.com

Sent: Sunday, May 13, 2012 2:25 PM

To: Schnapf, Lawrence

Sitting at the kitchen table with his wife, Carole, Mervin Klees recalled showing up to work at the Burlington Northern Santa Fe train shops outside West Burlington.

He and his coworkers would file into the massive locomotive repair building early in the morning, where the maintenance crew sometimes had re-fitted the pipes in the ceiling the night before. To get to the pipes, workers would have to cut through the asbestos insulation.

Klees remembers how particles of the stuff would float in the air, covering the floor and equipment in the shop with a soft white carpet.

"Like snow. You'd have to brush it off, like this," Klees said, waving his hand in front of his face.



Klees is one of several local and area railroad employees who has received a settlement check from BNSF in the last 10 years for alleged exposure to asbestos and other toxic chemicals at the shops.

Klees, 83, worked on and off at the shops as an electrician for 33 years, beginning in 1946, a time when the harmful effects of asbestos weren't widely known. He retired in 1993. Two years later, he was diagnosed with asbestosis, a chronic inflammatory lung condition contracted from long-term exposure to asbestos.

As a result of his illness, Klees received a nontaxable settlement from BNSF for \$15,869.79 in December 2001.

Local historian Deb Olson received an undisclosed settlement from BNSF last month. She also received settlements from several asbestos companies. Her husband, Terry, worked at the shops for 35 years before retiring in 2008. He died six months later at the age of 60. Lung cancer.

"His lungs were filled with asbestos," Olson said.

The railroad granted the settlement after years of negotiation, though they maintained Terry Olson's smoking habits were just as likely the culprit of his lung cancer as asbestos.

Deb Olson remains unconvinced, and she sees the settlement as an admission: The asbestos at the BNSF train shops led to her husband's death.

"At certain times in that shop, cigarette smoke was the cleanest thing those workers breathed," she said.

Besides Klees and Olson, four former employees from Burlington have received settlements from the railroad since 2006, and there is at least one ongoing lawsuit in the range of \$100,000.

According to court documents, Philip Buck claims his work as a laborer and electrician at the shops

exposed him to a variety of organic and chemical solvents that led to lung cancer and permanent brain damage, resulting in memory loss and early dementia. His lawyers, who were unavailable for comment, list his resultant medical expenses at \$20,000 and climbing, his lost wages at about \$60,000.

Though the train shop has been closed since 2003, the very chemicals that got Klees, Buck, Terry Olson and at least a few more of their coworkers sick remain on the site, contaminating the soil, groundwater and a creek that flows into Grease Lake, which the railroad once used as a disposal site for sanitary waste.

Entered into the Iowa Department of Natural Resource's Hazardous Waste Sites Registry in 1990, BNSF continues to monitor the contamination at the empty shops property. Recent data indicates the contamination levels do not represent a significant public health risk.

"It's probably one of the most assessed and evaluated environmental contamination sites in the state of Iowa," said Matt Culp with the Iowa DNR.

#### A lake called Grease

The BNSF train shops have been a fixture in Burlington since the 1850s. There's a small lake called Grease to the north of the sprawling complex of buildings, the 8-acre locomotive repair facilities crouching at the southern edge of the 12-acre property. Empty now except for a minimal security presence after BNSF moved its operations in 2003 to Galesburg, Ill., and Topeka, Kan., the shops have fallen into disuse, the grounds a patchwork of weeds, overgrowth, piles of strewn gravel and a fanning stretch of old rail.

In the day-to-day repair and manufacture of locomotives, workers at the shops routinely handled hazardous industrial chemicals, many of which remain on the site.

A mixture of Lyxol, mineral spirits, paint thinner and chlorinated solvent blends found on site have been flagged by the DNR as hazardous based on their ignitability. Analysis of sediment samples reveals the lingering presence of lead, arsenic, diesel, silicates, PCB-1260, trichlorethylene, chloro-benzene and the aromatic hydrocarbon xylene.

Tetrachlorethylene, or PCE, is used widely in dry-cleaning processes and was used by BNSF as a degreasing solvent. The International Agency for Research on Cancer has classified it as a likely carcinogen to humans. Studies cited on the EPA's website indicate prolonged exposure to the compound can lead to skin irritation, heart arrhythmia, central nervous system damage and reproductive complications. Though the levels appear to be contained, high concentrations of PCE have been found at Grease Lake and the train shops, even in fractured bedrock at depths of 160 feet.

Though the shops are in Burlington, neighboring West Burlington's water supply is protected by the Maple Mill Shale formation, according to the DNR, and off-site groundwater contamination does not appear to be a problem. West Burlington now is attached to the Burlington water system for reasons unrelated to the shops.

BNSF used PCE as a degreasing solvent until it fell out of favor in the early 1980s.

Klees recalled how he and his coworkers would come into the shops on Mondays, sometimes finding large rats feasting on the scraps of sandwiches that had been left in empty grease buckets over the weekend. The railroad didn't do anything to get rid of the rats and large cockroaches that nested near the lunch benches, so it was left up to Klees and the other workers to dispose of them.

They would rev up the degreasing pit, which typically was used to clean engine blocks and other machine parts off the locomotives. Then they would lower the barrels of rats onto the tray, shut the lid and let the degreasing fumes creep in.

"Those rats would have about one whiff of that stuff, and they would be dead," Klees said. "I breathed that in every day."

Louis Becker was a pipe-fitter at the train shops from 1974 to 2004, taking a job at Galesburg when BNSF moved its operations there in 2003. His job mostly exposed him to asbestos insulation and asbestos gaskets off the locomotives, though he recalls working in the degreasing pit.

"You didn't stay down there very long," Becker said. "You'd get high as a kite."

Becker said even wearing respirators, workers tried to stay in the pit for no longer than five minutes at a time.

"My partner when he was down there one time, he got too much of it, and we had to haul him up, get him outside for some fresh air," Becker said. "It was bad stuff."

Becker also recalled using floor-cleaning solvents that would burn skin on contact. Workers used rubber gloves, Becker said, but institutional safety precautions for the cleaning products, asbestos and degreasing solvents weren't implemented until 1988, when BNSF hired a safety officer. Until that point, Becker, Klees and their coworkers were uneducated about the toxic nature of the substances they handled on a daily basis.

"We didn't know," Becker said. "We were overwhelmed when all this came out."

#### Complications of the heart

Deb Olson is a writer and research historian. Apart from working at the Des Moines County Historical Society, she holds down two other part-time jobs to pay the bills. Next year, she will be without health insurance, and will be unable to access her husband's pension for another three years.

Though it was one of her husband's last requests she sue the railroad, it was not an easy decision for her to make. Her husband died in January, and she didn't file the lawsuit until that summer.

"I was sitting at his desk trying to figure out what to do and how I was going to pay my bills," Olson said. "On top of the desk were still sitting the Christmas cards we had gotten in December before he died, and one of those Christmas cards fell off the top and landed in front of me. It was from the union lawyers, and it was like 'OK, I'll call them.' "

Olson said she continues to feel a sense of great loss. Though the settlement will make her finances more manageable, no amount of money can replace her husband, she said. She remains conflicted about her feelings toward the railroad.

"Throughout history, there have been jobs that put people at risk," Olson said, adding the railroad always has been an essential part of Burlington's economy. "Somebody has to do some of these jobs. Somebody has to work on the railroad."

Reflecting back, Olson sometimes entertains the idea her husband made a choice, that he knew what risk he was taking working at the train shops but did it anyway. Olson said her husband's job supported her family for 30 years. It put her children through school. It put her through school. She sometimes wonders if her husband's death was the price for all that. Since he died, she finds herself questioning things more and more.

"Did they really understand the total ramifications of all these chemicals?" Olson said. "Do you really want to believe that some of these companies have purposefully said, 'Well, we know there's radium in some of the stuff we're making, but we don't care'? That's just scary to think that the world is like that."

In the end, Olson finds it hard to place all the responsibility for her husband's death on the railroad's shoulders.

"I want someone to blame, and they're as good a person as any," Olson said. "But I struggle with that. Is that right? Is any of this simple? I kind of don't think it is."

"Terry Olson was a good man," Klees said, recalling him from his time at the shops. "He was a hard worker."

When asked why he continued to work at the train shops with the knowledge every day he was being exposed to toxic chemicals, Klees' reply was gruff and abbreviated.

"Why did we do it? Hell, it was our job. We had to eat," Klees said. "I had a wife and kids. You didn't think about any of that."

Who watches the watchmen?

In a statement issued by BNSF, spokeswoman Amy McBeth said the railroad has been working for several years with the EPA on the assessment and monitoring of the site's contamination.

But who exactly has jurisdiction over the BNSF train shops is a point of some confusion between the DNR and the EPA's Region 7 office in Kansas City, Kan., which oversees federally controlled contaminated sites in Iowa.

Though it appears the EPA does indeed have authority, both agencies suggest the other is more involved in managing the site.

The DNR lists the EPA as the lead agency at the train shops in Burlington under the header "Grease Lake," but the EPA said it has not had any involvement with the site since the 1980s.

"I have now checked with all the appropriate people and had them check with their record databases, and the EPA has not had an active involvement or presence at that site for nearly two decades," EPA public affairs specialist Chris Whitley said. "As far as why it may be listed on the Iowa DNR's website, they may or may not have some level of remaining oversight with it."

Officials in the DNR's contaminated sites section were confused upon receiving this information, maintaining their office definitely has not had any active presence at the site for a similar time period.

"(The EPA) are the people running the show," said Cal Lundberg, DNR contaminated sites section supervisor. "We are as involved as the EPA asks us to be."

Matt Culp of the DNR contaminated sites section agreed with Lundberg.

"I'm not certain as to why anyone at the EPA would tell you they haven't done anything with that site in a long time. That couldn't be further from the truth," said Culp, referencing a pump test report from the site the EPA recently forwarded to the DNR. While BNSF is responsible for conducting such tests, Culp said, the EPA is nonetheless involved in the site's ongoing review process.

"I'm just flabbergasted they would take that position," Culp said.

He repeated the EPA is the lead agency at the site, and referred The Hawk Eye to project manager Ruby Crysler, the DNR contaminated site section's contact with the Region 7 EPA office. Crysler declined comment, deferring to Whitley, who said he'd spoken with Crysler about the matter.

Whitley said the only level of involvement Crysler might have is in receiving progress reports from BNSF, which she would review then place in storage. The DNR's website maintains an extensive database of documents the EPA has signed off on, some of which are dated this year. Those documents, which include correspondence between the EPA and BNSF, were forwarded to the DNR by the EPA Region 7 office.

"Any records that are going to exist for that site are probably off in a cave somewhere, or in archive storage," Whitley said, adding it would take a long time to even access those records. "We're pretty much an empty well as far as information."



He said since the 1980s, the EPA has regarded the BNSF train shops as a closed site.

"If it is a closed site, EPA's involvement and action with it is done for the present time," Whitley said.

Whitley elaborated, saying BNSF may indeed have a continuing obligation to the EPA to monitor the site, and the EPA still can be considered the lead agency even if the site is closed.

While there may be confusion over the level of involvement certain governmental regulatory agencies may or may not have at the train shops, no such exists between BNSF and AECOM, a private firm the railroad has hired to monitor the site.

AECOM gathers field data and submits its findings from its 36 monitoring wells in the form of reports to BNSF, which in turn submits the reports to the EPA's Region 7 office. If upon review it is found the reports contain nothing out of the ordinary, the EPA files them away, according to Whitley.

"As far as what the EPA has done to change things at that property or to implement any kind of remedy or require work plans, I don't want to call it ancient history, but it goes back quite a way," he said.

AECOM provides up-to-date reports of its monitoring efforts that are viewable at the DNR's website. Their data continually indicates the contamination at the train shops does not represent a significant public health risk. AECOM Senior Project Manager Kurt Geiser declined comment.

Whitley and Culp at least agree it is a common practice for private firms to oversee the monitoring of contaminated sites across the country. The EPA does not have the resources to monitor the sites itself, Whitley said.

"The burden of managing an issue, whether it's a cleanup or a remedy, ultimately falls on the polluter," Whitley said.

"The bottom line is we know, based on database searches here, no one at EPA Region 7, for the past 20-plus years, has been involved with the site."

The train shops site is governed by the Resource Conservation and Recovery Act of 1976, which in Iowa, puts the train shops under the EPA's umbrella of influence. Culp with the DNR insists Chrysler at the Region 7 office is the train shop's project manager and has had extensive contact with Geiser of AECOM. Whitley characterized Chrysler's involvement differently.

"She is not involved in actually working at the site. She's someone who manages boxes and files," Whitley said.

Both Chrysler and Geiser declined comment and did not return The Hawk Eye's calls.

#### Closing shops

Despite the settlements it has granted in the last 10 years, BNSF maintains it is not responsible for the illness of any of the workers in Burlington.

"Based on the analysis of the available medical and scientific literature, we believe that it is unlikely that the work at the West Burlington Shops was causally related to the development of any kind of disease in these workers," BNSF director of public affairs Amy McBeth said in a statement. "However, due to the costs and uncertainties of litigation, settlements are sometimes effectuated in these situations."

Klees claims an X-ray scan of his chest taken in 1995 shows asbestos particles in his lung tissue. Becker, who did not pursue litigation, also has asbestosis, and said he has X-rays to prove it.

McBeth said BNSF, via AECOM, has been working with the EPA on the continued assessment of the site

and is awaiting review before plans for remediation can move forward.

While BNSF does not have any plans for the site, McBeth said the railroad is open to other uses for the property that do not conflict with the ongoing monitoring of contaminants.

Mel Pins, the DNR's Brownfield Redevelopment Program coordinator, said though the site is contaminated, it does not necessarily qualify as a brownfield, and even if it did, remedying it likely would be beyond the scope of his budget. The DNR typically invests only \$10,000 to \$20,000 in any one brownfield property, Pins said. The train shops site likely would require more than that.

"The kind of response actions, or monitoring, or even what's been done to date there would be pretty big compared to the kind of funds I have," Pins said.

The brownfield program is voluntary, and mostly in place to help municipalities put smaller plots of land back into reuse. Most of the time the properties in question require little maintenance, and are only perceived to be contaminated when in fact they are not.

In the case of the Burlington train shops, that perception is an ongoing reality, and the chances of putting them back into use any time soon are slim.

"I don't know too many people that would want to transfer ownership or receive ownership of a RCRA site that's under corrective action, unless there were a whole lot of caveats that the seller will continue to take care of the problem," Pins said. Schnapf LLC

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## All Chamberlain buildings coming down

- Story
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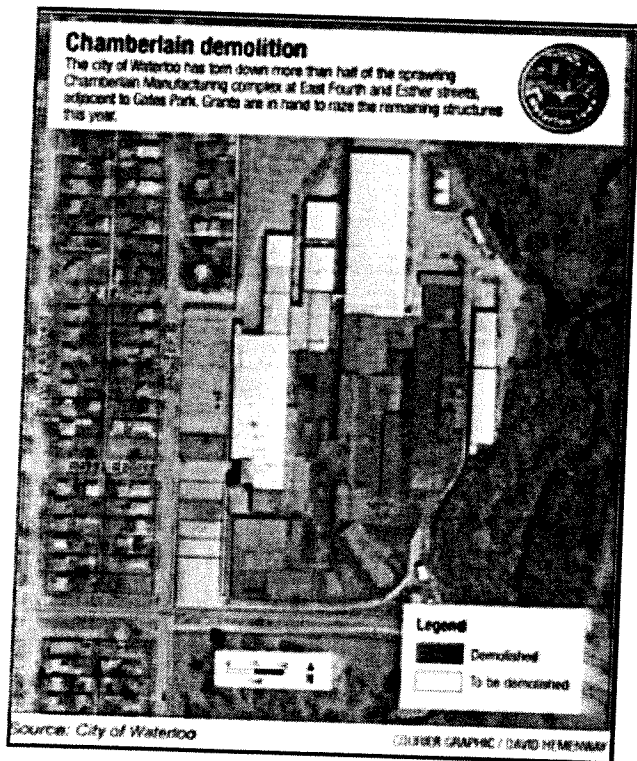
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By TIM JAMISON, [tim.jamison@wfcourier.com](mailto:tim.jamison@wfcourier.com) | Posted: Friday, February 5, 2010 3:00 pm | (2) Comments

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Tour former Chamberlain site

Waterloo's Community Planning and Development Director Don Temeyer takes The Courier on a tour of the former Chamberlain site in November 2007.

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WATERLOO - The city expects to erase the last visible remnants of the Chamberlain Manufacturing Co. from the map this summer.

But neighbors and environmental regulators will be dealing much longer with contaminants left underground at the defense contractor's sprawling former complex at East Fourth and Esther streets.

"I think people are going to be really happy to see this gone," said Stephanie Doolan, of the Environmental Protection Agency's Region 7 office in Kansas City, Kan. "Ultimately this is going to be a nice green space."

A public informational meeting organized Thursday by city planning staff, the Howard R. Green Co. and the EPA to discuss the demolition process drew only three residents. A similar meeting in November to discuss underground soil contamination, which was creating potential air quality issues in neighborhood basements, had drawn 70 residents.

Doolan said the EPA is still working with Chamberlain Manufacturing Co., based in Chicago, on an agreement which would spell out what the company would need to do, along with a time line, to remediate the underground soil contamination and problems with vapor infiltration at the houses.

First, however, the rest of the buildings must be cleared of asbestos and razed.

"The windows are broken, the buildings are falling down and we don't want that (asbestos) blowing all over the neighborhoods," Doolan said. Airborne asbestos particles can result in lung disease or cancer.

Don Temeyer, former city planning and development director and now a consultant for Howard R. Green Co., noted the city currently has about \$760,000 in state and federal grants to continue demolishing buildings at the complex. More than half of the 500,000 square feet of structures on the site have already been torn down, and bids for the remaining buildings are expected to be opened in April.

While earlier discussions centered around potentially leaving some of the more sound buildings

for possible redevelopment, current plans call for them all to be removed "because of the problems with the vapor infiltration," Temeyer said.

Soil and groundwater tests found concentrations of heavy metals and other hazardous compounds, including the carcinogen trichloroethylene, known as TCE, on the site. TCE vapor can seep from the contaminated groundwater into homes.

Tests show that homes to the south and west of the site had TCE vapor in the soil beneath their basement floors. As part of the pending agreement between EPA and Chamberlain, the company would be required to pay for ventilation systems in the homes potentially affected by the contamination.

Chamberlain Manufacturing Co. once made washing machine wringers, aluminum awnings, refrigerator shelves and sprayers. It later switched to munitions, producing tank ammunition, warheads and components used for the Patriot missile during the 1991 Persian Gulf War.

Chamberlain closed in 1994. The city took ownership in December 2005 and began working on a cleanup plan.

Posted in Local on *Friday, February 5, 2010 3:00 pm* Updated: 11:15 am. | Tags: Chamberlain Manufacturing Co.

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## FORMER CASCADE WOOLEN MILL

May 30

# Officials ready cleanup plan for mill

### Who pays, and how much?

By Scott Monroe [smonroe@mainetoday.com](mailto:smonroe@mainetoday.com)  
Staff Writer

OAKLAND -- State environmental officials are completing a new cleanup plan for the charred remains of the former Cascade Woolen Mill. It was destroyed by a fire this winter.



[Click image to enlarge](#)

**CLEAN UP:** Twisted metal and burned wooden timbers lay in a pile at the former Cascade Woolen mill in Oakland. Clean up costs and who will pay has yet to be determined.

Staff photo by David Leaming

Select images available for purchase in the  
Maine Today Photo Store

But how much the work will cost and how it's paid for will determine when the mill site can be completely cleaned up, according to state and town officials.

Complicating matters is a recent determination by the Maine Department of Environmental Protection that there's asbestos in the rubble, requiring a more detailed and expensive cleanup effort than originally thought.

"It obviously makes things much more difficult," said Jean Firth, brownfields grant coordinator for the DEP. "Asbestos removal needs specialized training and costs go up because it's taken to a special landfill."

The building's owner and lone tenant was Michael Dye, of Hallowell, who owns K-D Display & Design, Inc. Dye said Tuesday he's hoping that cleanup work will begin soon.

## OAKLAND

August 24

# Problems persist for former woolen mill site

## U.S. EPA terminates grant

By Leslie Bridgers [mailto:](#)

Staff writer

OAKLAND -- The U.S. Environmental Protection Agency has terminated a grant for cleaning up the site of the former Cascade Woolen Mill and has told the town it owes the agency about \$1,600.

The EPA determined in July that Oakland was never eligible to receive a \$200,000 brownfields grant that it awarded the town in 2008 to clean up the property.

The town already has spent about \$117,000 of the grant to remove contaminants from former mill site. The mill building was leveled by a fire in January, and the town had hoped to use the rest of the money to clean up the charred remains.

Now, property owner Michael Dye is waiting to hear whether the EPA or other federal agencies will contribute other funds to help pay for the clean-up.

Dye was operating a wood-products company out of the former mill building, and the town has been holding Dye's mortgage. After the fire, the grant came under scrutiny by the EPA, which determined that the town was never eligible to receive the money because it didn't technically own the property.

A stipulation of the grant was that the town would cover 20 percent of it -- a contribution that could be made in the form of in-kind donations. Town Manager Peter Nielsen said the public works department did about \$20,000 worth of in-kind clean-up work. The EPA notified Nielsen this month that Oakland still owes the agency \$1,640.

Dye still owed the town about \$77,000 in mortgage payments. His insurance company has covered that cost, and the town is holding that money in an escrow account.

Nielsen said he will make a recommendation to the Town Council on Sept. 8 to discharge the mortgage and use the money in escrow to pay its outstanding balance with the EPA.

Dye said Monday he still plans on reconstructing the building but probably won't restart the same business.

The Cascade Woolen Mill shut down in 1997. At its peak, in the 1980s and '90s, it employed 250 people. The structure that burned was 127 years old.



And once the debris is removed, Dye said, "we do intend to improve the site and get something productive going down there again."

Before the fire, the town had obtained a \$200,000 "brownfields" grant from the U.S. Environmental Protection Agency to clean up the site. The town is aiming to use more than \$100,000 remaining from the grant to cover the expense of removing the debris.

The Oakland Town Council recently asked for the assistance of the DEP to redesign the scope of the cleanup work and "help move the ball along" now that asbestos removal is involved, said Town Manager Peter Nielsen.

"We're looking for work to start this summer," Nielsen said.

DEP officials have a draft workplan on the cleanup ready for a half-dozen contractors who will review the plan and offer bids next week, according to Firth. After a contractor is selected, cleanup work could begin as soon as June 14, but that's only if the town has the funding needed to do it, she said.

A fire on Jan. 24 destroyed the 127-year-old structure in the heart of downtown Oakland. Investigators with the State Fire Marshal's Office were not able to determine a cause of the blaze because of the extensive damage, but classified the case as accidental.

The town had last year been awarded the "brownfields" grant from the U.S. Environmental Protection Agency to clean up contaminated soil and hazardous chemicals at the site.

At its peak in the 1980s and early 1990s, the Cascade Woolen Mill employed 250 workers. The company closed in 1997.

The EPA had originally determined that soil under and around the old mill was contaminated with metals, volatile organic compounds and inorganic compounds.

With the DEP now finishing its cleanup plan, Nielsen said the "ball is back in their court," but whether the town can tap into the brownfields grant to finish cleanup "still remains in the future," he said.

"We haven't heard anything formal from the grantors to allow us to alter that very much," Nielsen said.

## **I.Dilapidated Buildings Prompt Discussion**

Asbestos Abatement Issues Discussed With DNR

by Jane Whitmore  
POSTED: August 24, 2010

**Email: "Dilapidated Buildings Prompt Discussion"**

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Discussion of what can be done to eliminate dilapidated downtown buildings continues. New to discussions is Mel Pins, administrator of the Iowa Department of Natural Resource's Brownfield program.

City officials and Chamber of Commerce members met with Pins recently to discuss the former Wards building and the building vacated by Dr. Phelps.

Information distributed by Pins asked the question "What are Brownfields?" The answer: "Brownfields are sites where resale, redevelopment and reuse have been hindered by environmental contamination concerns." The program purpose is to provide technical and financial resources to help them find answers to environmental questions, and to assist with environmental cleanup planning and implementation to prepare the site for reuse or redevelopment.

Both downtown Emmetsburg buildings, the former Wards building and the building vacated by Dr. Phelps, are both candidates for this program.

"Every site is different," said Pins. "If somebody wants to step up, we can help with asbestos removal."

Pins pointed out that he has done previous work in Emmetsburg. The site where the VFW Memorial now stands was a Brownfield program. The Terra Industries building, which was ridden with asbestos, was torn down utilizing cost-share funding from the Brownfield Redevelopment Program.

"There is no state fund to take down old buildings. It would be larger than our highway, road use tax fund," said Pins. "Most Iowa cities, county seats, small main streets, their buildings are now 100 to 120 years old and they've been remodeled three and four times," said Pins. "And I don't necessarily believe that the government should come in and take care of everybody's private property. But this is an ongoing problem in our smaller cities."

Whose problem is that? It's the property owners, says Pins.

"Unfortunately, you get to the point where back taxes are owed and the building is structurally unsound," said Pins. "When that building falls onto your main street, you've got a real problem. And then you have to treat the whole thing as asbestos contaminated. So a small problem now grows to a larger problem later."

Pins stated that if a city, county, area development corporation or a non-profit works on the city's behalf, if they would want to take ownership and get the site redeveloped, the Iowa Brownfield Redevelopment Program could help.

"We could help with up to \$25,000 cost match for asbestos removal," said Pins. "It's a dollar-to-dollar match. That's what my program can do."

Pins stated he could not offer a solution, but he said if the city, county or a non-profit wanted to step up, his program could help with asbestos removal but his program cannot help with general removal.

"My program is not here to help the private person," said Pins. "When a community steps up, it makes a better program."

He asked if there is a reuse plan in place. Community Developer Steve Heldt noted that three or four things have been discussed.

Pins stated that job creation, increasing the tax base, public green space or return to natural habitat are permissible in this program.

"Since you're talking downtown, you're probably going to do something with a tax base," said Pins. "It would be a value to the community to get rid of an eyesore and then add something of value to the community. But you have got to get started with the dialogue."

There had been cost estimates for demolition of the former Wards building. Pins noted, the more bidders, the more competitive the bids will become. He also suggested negotiating with the landfill.

"If we're going to do something, we need to do something soon," said City Administrator John Bird.

The Iowa Brownfield Redevelopment Program spells out that a community must have a redevelopment and reuse plan for the site.

A community must also have financial resources that would result in: direct economic redevelopment through resale and reuse of the site to create tax base or job creation;

value-added use of direct benefit to the public; or, conversion to greenspace, recreational use or natural habitat restoration.



## Owensboro discussing alternative plans for downtown hotel

Posted: Mar 24, 2010 6:15 PM EDT

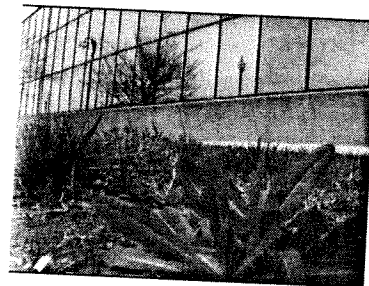
Updated: Mar 24, 2010 7:11 PM EDT

By Ben Garbarek - [bio](#) | [email](#) | [Twitter](#)

Posted by Sarah Harlan - [email](#)

OWENSBORO, KY (WFIE) - There is a possible road bump in Owensboro's efforts to redevelop downtown.

As 14 News told you Tuesday night, Owensboro's mayor and city commissioners will hold a closed door meeting Thursday to discuss possible soil contamination at the site of the future downtown hotel.



The city of Owensboro has been negotiating with the state to buy the state office building.

While doing its homework on the site, the city found the soil was contaminated and the price to clean it up could kill the deal.

The saying goes 'it always pays to do your homework'.

Now, the city has to figure out what it wants to do, either continue efforts to buy the downtown state office building or find a new home for the proposed downtown hotel.

"That corner is still attractive, that corner is still valuable but that corner is not going to prevent us from implementing our master plan in a very significant and effective way," Downtown Development Director Fred Reeves said.

The city said it expected some chemicals from a nearby dry cleaners to contaminate the soil at the state office building site, but the price to clean the soil came back higher than expected at over \$.5 million.

Downtown business owners said the state office building site is the best spot for the new hotel.

"The state office property allows the proximity to generate that closeness, that development and the downtown character," George Skiadas with Famous Bistro said. "That's what it's all about."

"As our downtown progresses and new businesses open, we're going to be a bigger draw so if the hotel ends up being two blocks further away, that's okay," Patti Acquisto with Patti's Resale said.

The city said if the hotel is not built on the state office building site, there are several options within a block of the original site.

"Ideally, it's where it is now at that corner, but if it becomes cost-prohibitive, so be it," Skiadas said. "I think it can be altered."

"That's where we want it but if it doesn't work out I will tell you that when the Executive Inn opened, located right where we are in the 2nd Street corridor, we're talking about two, three blocks," Acquisto said.

The city commission will have a closed session meeting Friday morning about the contamination issues.

The mayor's office said an announcement regarding the future of the downtown hotel will be made after that meeting.

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## WICKED LOCAL WOBURN


WITH NEWS FROM THE WOBURN ADVOCATE

### EPA testing water after some contamination found

By Kathie Ragsdale

GateHouse News Service

Posted Jan 12, 2011 @ 12:52 PM

 Lawrence Schnapf and 3 others



Woburn, MA — Twenty years after the residents of one Woburn neighborhood were assured their homes were safe to live in, the Environmental Protection Agency is finding signs of an all-too-familiar problem in the vicinity — water contamination.

The EPA is asking a handful of residents in the Dewey and Olympia Avenue neighborhood of east Woburn for permission to drill in their basements after discovering slightly higher-than-acceptable levels of PCE, or tetrachloroethylene, in the groundwater there.

The EPA characterizes the tests as “precautionary.”

PCE is one of the contaminants implicated in the cluster of childhood leukemia deaths in Woburn in the 1980s that led to the book and movie “A Civil Action.” The neighborhood abuts the W. R. Grace and Unifirst building sites that were partly blamed for the pollution.

While residents of the neighborhood do not rely on the groundwater for drinking — they get their drinking water through the Massachusetts Water Resources Authority (MWRA) — the EPA wants to make sure potentially harmful vapors are not being created by the chemical. High levels of PCE can cause problems ranging from dizziness to liver, kidney and central nervous system damage and the National Cancer Institute characterizes it as “likely to be cancer-causing in humans” at high levels.

“We have found some levels of contamination above the drinking water standard and we feel it’s appropriate to take an additional step of investigation to find out if any of that groundwater contamination is getting in the vapor and potentially accumulating underneath a building as well as whether or not that vapor could also be potentially entering a building,” said Joseph LeMay, remedial project manager for the EPA in New England. “This next step is precautionary but it’s important for us to take this step and insure the community that the buildings are safe.”

The neighborhood is near one of five “source area” properties that the EPA identified in the 1980s as contributing to groundwater contamination within the Wells G and H Superfund site. The two wells, now long closed, were blamed for some of the illnesses in nearby neighborhoods.

Lori Medeiros, who has lived with her husband Paul for 26 years on Marietta Street in the Dewey-Olympia neighborhood, said EPA staff members visited her home in 1989 or 1990 to do tests in the basement “and we were assured levels of contaminants were within acceptable levels.”

But last spring, she said, the EPA sent notices to residents of six streets — Olympia Avenue, Marietta Street, Dewey Avenue, Wainwright Avenue, Hobson Street and Oregon Street — saying that, because of improved technology and new information, the agency wanted to test groundwater in the area. Last summer, it set up several monitoring wells, and 14 were found with PCE levels higher than the acceptable 5 parts per billion (ppb); called the “maximum contaminant level” by the EPA. LeMay said some 30 wells were sampled and other wells were within the acceptable range.

One of the contaminated wells was located across the street from the Medeiros home, where levels of PCE were found to be 9 parts per billion. Excesses of 5 to 10 parts per billion are still considered slight. LeMay said monitoring wells were also dug at another source area site, New England Plastics off Rifle Range Road, but no contamination was found.

The agency is now asking a few residents in the Medeiros neighborhood for permission to drill in their basements to do two vapor tests this winter and next summer. The testing is being paid for by W. R. Grace and Unifirst, LeMay said.

“We feel it’s a precautionary but necessary step to go back and do additional sampling to assure the public that it’s still safe,” he said, adding that details of all findings will be available on the EPA website.

A public hearing on the agency’s monitoring well findings is scheduled for Wednesday, Jan. 26, at 7 p.m. in City Hall.

Mayor Scott Galvin said he was pleased the EPA is being proactive about addressing the issue, but declined further comment until he could get more information.

Medeiros said she and her husband, a former alderman, welcome the further testing.

But she adds, “It’s like, is there ever going to be an end to this? This is the longest I’ve ever lived anyplace and I just consider the neighborhood my home. I don’t want to think it’s not safe to live there.”

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By CHARIS ANDERSON  
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February 02, 2010 12:00 AM

**NEW BEDFORD** — The city is waiting for results of indoor air quality tests taken over the weekend at New Bedford High School after groundwater seeping into the school's boiler room showed elevated levels of contaminants.

The city notified DEP on Friday, according to Scott Alfonse, the city's director of environmental stewardship.

VOCs are emitted by thousands of different products, including paints and lacquers, cleaning supplies, pesticides and adhesives, according to the U.S. Environmental Protection Agency.

However, modeling and field sampling conducted by TRC, the city's environmental consultant, do not indicate contamination levels that pose an imminent hazard, Alfonse said.

The air quality results should be back from the lab by the middle of this week, Alfonse said.

The boiler room area has not been closed off, but the School Department and a member of the school's facilities staff were notified Friday about the situation, said Alfonse, who said he would be holding a follow-up meeting with the facilities staff today.

Until this point, testing conducted on the Parker Street Waste Site, a 104-acre site that encompasses the high school, Keith Middle School, Walsh Field and the new McCoy Field, has not shown any problems with either groundwater contamination or VOCs, according to city officials.

"The obvious question is: What is the source?" Alfonse said. "We'll be looking at whether there needs to be some adjustments for what we analyze."

While testing the groundwater had not been part of the site's routine monitoring plan, TRC conducted an initial sample of the groundwater seep in the boiler room — there are some cracks in the foundation through which groundwater leaks into the building; the area is known as "the seep," according to Alfonse — at the end of last year.

"We had heard from folks that the seep was a concern, and we had heard from folks that they'd like to see more groundwater data from the school," Alfonse said.

The initial sample showed levels of VOCs slightly above state standards and led TRC to do more groundwater testing last month; the results from those tests are the ones the city received Friday, according to Alfonse.

CLEAN President Eddie Johnson said his organization was very concerned about the groundwater test results.

"We think that this is an extremely, extremely serious matter," Johnson said. "It needs to be addressed, and it needs to be addressed without the Band-Aid approach."

According to Johnson, CLEAN wants to see additional groundwater testing and more testing under the building footprint of New Bedford High School.

"That school is not built on a cap like Keith. It's built on top of a toxic waste dump," he said. "The ideal situation would be for New Bedford High School to be closed down and a new high school built."

Johnson said he was meeting with CLEAN's lawyers this morning to discuss the recent test results from the high school and other ongoing legal issues.

Lang strongly disagreed with Johnson's suggestion that the high school be closed.

"We have a fairly manageable site that we're cleaning area by area," he said. "If I thought there was any danger whatsoever, the high school would be closed."

undefined

## WICKED LOCAL SOMERVILLE

WITH NEWS FROM THE SOMERVILLE JOURNAL

### Mitigation for Tufts Street site contaminated by dry cleaner almost complete

By Andy Metzger

Wicked Local Somerville

Posted Aug 17, 2010 @ 03:34 PM

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Somerville — For 47 years ending in 2002, the rectangular white building at 50 Tufts St. was a depot and storage facility for a toxic chemical used in dry cleaning.

Now, an environmental consultant hired by that dry-cleaning company is entering the final phase of documenting and mitigating the toxic effects on the East Somerville neighborhood.

On Aug. 10, GEI Consultants completed its first response action outcome statement on a house in the neighborhood. Over the next few months, GEI plans to write similar statements on all of the properties in the spill area, said Ileen Gladstone, vice president of GEI.

Once that is complete, dry cleaner UniFirst will have fulfilled its environmental responsibilities to the area having installed "soil vapor extraction" systems in the old warehouse and in about 20 homes, Gladstone said. There are no plans to completely remove the toxins, and the building is safe enough to be used commercially, she said.

Perchloroethylene is a solvent used in soaps, polishes and in dry cleaning, where it dissolves away stains, according to the Environmental Protection Agency and Gladstone. It is also toxic. Short-term exposure to too much perc, as it's called, can affect the nervous system, causing dizziness, and prolonged exposure can cause memory loss and might lead to liver and kidney damage as well as cancer, according to the EPA.

For those 47 years that the one-story, roughly 21,000 square-foot building was in operation as a depot, perc and other chemicals were transferred between trucks and trains and a 20,000-gallon tank and drums in the warehouse, according to Gladstone and a 2008 lawsuit filed against UniFirst.

Much of that perc also made it into the ground, where it spread into the neighborhood. In 1980, there was a large leak from a truck, according to the lawsuit, which also said "[perc] spills were so frequent that the employees' work boots would fall apart within weeks ... [it] would eat the rubber off the tires on the forklifts."

The perc in the soil created a health risk for the residents of nearby houses, where vapors were seeping up from basements. It also hurt property values after it was first discovered in groundwater tests in 2002.

For the past nine years, Nilson DaSilva has lived right across the street from the old warehouse, where vacuum systems suck perc out of the ground, filtering it with carbon. DaSilva has a vacuum system of his own — a pipe that GEI installed, sucking vapor from below his basement and spilling it out of a pipe behind his house, just above the roof.

According to DaSilva, when he tried to refinance his mortgage on the house, the bank balked at the rate he wanted because of the perc mitigation system installed in his house and the toxins in the ground that make that system necessary.

"I don't like this," DaSilva said. He said other neighbors had refused GEI's offer of a soil vapor extraction system, despite the health risks. However, Gladstone said those refusals happened early on in the cleanup project, and further testing showed that those homes did not require the vapor extraction; all homes that need vapor extraction received it, she said.

The vapor extraction at the old warehouse filters out the perc, but the nearby properties that have vapor extraction — including the Capuano Early Childhood Center — do not need filtration once the vapor is pumped into the outside air, because it is not at a dangerous level of concentration, Gladstone said.

The vapors under nearby homes are less concentrated than they would be in a car with a load of dry cleaning, Gladstone said. The smell of perc is also recognizable as the smell of fresh dry cleaning, she said.

In the outer edge of the spill site, around Franklin Street, the perc does not vaporize because it has sunk to deep groundwater, Gladstone said.

Though the spill was first detected in 2002 and has been well documented since, it was not widely known in 2005 when a Maine-based realty company, Somerville Two, bought the property in foreclosure. The Maine developers did not know the history.

In 1987, the property had been sold from Superior Products & Equipment to another dry cleaner, John Danais. As technology improved, perc manufacturing declined in the late 1980s and early 1990s, according to the EPA, and in 2002, Danais filed for bankruptcy, leaving it to the bank to sell off the old warehouse.

Claiming it had been unaware of the site's toxicity in 2008, Somerville Two sued UniFirst, which merged with Superior, the original polluter of the site, in 2002. The two reached a private settlement and last August, Somerville Two sold the property back to UniFirst for \$1.2 million, according to the Southern Middlesex Registry of Deeds.

"My clients were satisfied and the case was closed," said Mark Dickison, an attorney for the Maine realty company, who has represented plaintiffs in other lawsuits against perc polluters. Dickison did not disclose the settlement.

Dickison said perc pollution is a problem and a source of litigation around the state and the country, and said UniFirst has handled

its responsibility for the problem well.

"To their credit, they've expended significant resources," Dickison said. "Back in the '50s and '60s, no one really worried about these products."

The dry-cleaning supplier who operated out of Tufts Street until the late 1980s made a successful career of it. Aldo Croatti was the president of Superior, which first operated the warehouse and later became chairman of UniFirst, a publicly traded company based in Wilmington, with a CEO named Ronald Croatti, who did not respond to a request for comment.

A UniFirst press release about Aldo Croatti's death in 2001, at 86, chronicled the entrepreneur's rise from a first-generation Italian-American who grew up in Boston and Beverly and bypassed college to go to work building a successful overall cleaning business out of a barn in Boston.

At the time of his death, from pneumonia, Aldo Croatti was living in a house in Weston most recently valued at \$1.2 million and appeared to have had another home in Falmouth.

"His influence was immediate and far-reaching bringing a culture of quality and dedication to the customer," the press release said. However, another legacy of UniFirst's origins are the ventilation pipes in East Somerville homes, spewing out dry-cleaning chemicals leached into the soil.

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antronig

2 months ago

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Not all owners had any idea of the dangers of this dry cleaning chemical. What about all those millions of people who had their clothes dry cleaned with this chemical, are they not in danger of getting cancer or lung disease? Certainly, our government had an obligation to test the chemicals. Did our leaders of the past and present let us down? Why is that the company is sued and not the part of government that was suppose to regulate chemical use? What about all the small shop owners and workers who inhaled the chemical that had no idea this was dangerous.

Banky\_Edwards

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Oh my...when I lived on Tufts St. back in the day, my landlord drilled a well in his yard and hooked the house to it. At that point, even the cat got bottled water...

OLLIEGATOR

2 months ago

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I WORKED FOR SUPERIOR PRODUCTS FOR 2 YEARS, 1967 & 1968. I NOW HAVE LIVER DAMAGE, & 4TH STAGE LUNG CANCER. P.S. DEAR MR. ANDY METZGER, IS THERE A LAWSUIT GOING ON, IF SO WHO SHOULD I CONTACT?

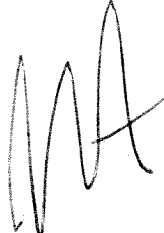
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 August 7, 2010

## Chemical cleanup underway at North Andover Plaza

By Brian Messenger  
bmessenger@eagletribune.com

NORTH ANDOVER — Work is underway to remove chemicals in the soil below North Andover Plaza that leaked from a dry cleaning business there.

A patch of ground below Ace Cleaners, 66 Peters St., is believed to be the origin of contamination, according to a cleanup plan on file with the North Andover Health Department.

Located at the intersection of Route 114 and Peters Street, the plaza is also home to five other businesses — Rocky's Ace Hardware, Panera Bread, Burger King, Den Rock Wine & Spirits and Supercuts. There is also a Bank of America ATM adjacent to the dry cleaner.

Soil tests below the businesses and plaza parking lot have detected the solvents tetrachloroethene and trichloroethene, according to the cleanup plan.

Both chemicals are volatile organic compounds and suspected carcinogens, according to the website of the U.S. Agency for Toxic Substances and Disease Registry.

Tetrachloroethene, also known as tetrachloroethylene or PERC, is a synthetic compound widely used for dry cleaning fabrics and metal-degreasing



ANGIE BEAULIEU/Staff photo Workers with Soil Exploration Corp. examine the site in the North Andover Plaza after the ground was found to be contaminated.

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operations.

Trichloroethene, also known as trichloroethylene or TCE, is an industrial solvent.

PERC is a frequent soil and groundwater contaminant, according to the Massachusetts Department of Environmental Protection.

Cleanup began in late July and is expected to conclude by the end of the month. The goal of the work is to "reduce potential risks at the site relating to air and groundwater quality," according to the cleanup plan, which was written by Morgan Environmental LLC of Manchester, Mass.

The plan states that the Ace Cleaners site has been home to a dry cleaning business for the last 40 years. There have been four owners in that time, including current owner Angela Kim.

All four owners have used PERC as a cleaning solvent.

"At this time it is unclear if the release was a sudden spill that perhaps occurred during the upgrade of equipment over the years, or might be the result of a slow drip from a leaking machine that did not have a secondary containment tray beneath it," reads the cleanup plan.


The cleanup includes the removal of approximately 35 cubic yards of soil beneath Ace Cleaners using a vacuum truck. Additional contaminated soil and groundwater downgradient from the source of contamination will be treated by drilling injection wells inside the business and in the parking lot and applying a chemical oxidation reagent.

PERC will be drained from an old dry cleaning machine and stored in 55-gallon drums.

"Following the removal of the old dry cleaning machine, four catch basins located downgradient from the dry cleaner will be covered with fabric filter to protect against any possible contamination entering the surface water drainage system that ultimately discharges to a small stream located on the southwest side of Route 114," according to the cleanup plan.


Groundwater tests are scheduled for late September, after the cleanup work is complete.

PERC and TCE have not been proven to cause cancer in humans, though both are suspected

**Peece4All** 08/07/2010 08:25 PM


There is nothing proactive about this cleanup. Moreno wants the plaza to sell. Proactive would have been to do this years ago LOL. There's nothing community-oriented or good spirited about this mandatory clean up done in the hopes of a sale.

1 person liked this. Like Reply

**FatBoySlim** 08/07/2010 06:59 PM

Yo Brian,  
You should proof read before you print something

Like Reply

**JohnnyZ17** 08/07/2010 12:41 PM

I thought Tri/TCE was a banned substance decades ago? I know back in the 70's it was used in the electronics and circuit board industry as a flux solvent, but it was stopped due to its damaging effects to the liver especially through skin absorption or inhalation. Really surprised its still around...

1 person liked this. Like Reply

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carcinogens, according to the U.S. Agency for Toxic Substances and Disease Registry website.

Both chemicals are also among 20 suspected carcinogens targeted for further research in a recent report sponsored by the American Cancer Society.

Initial soil and groundwater tests were collected in North Andover Plaza "as part of a due diligence effort" related to the sale of the plaza, according to the cleanup plan.

The plaza is owned by North Andover Ventures Limited Partnership.

Ann Moreno, director of real estate for the Dedham-based partnership, said the plaza was put on the market over a year ago. It may go up for sale again once the cleanup is complete, she said.

Moreno said the soil has already been removed from under Ace Cleaners. She said the owner has agreed to install new chemical-free dry cleaning equipment.

"We chose to be proactive and remove the problem," said Moreno. "They're going to continue as our client there."

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